

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : August 20, 2003
Masaki Obinata et al. : Group Art Unit: Unknown
Serial No.: 10/066,128 : Examiner: Unknown
Filed: January 31, 2002 : San Jose, California

Title: VARIABLE SPEED DISK DRIVE AND METHOD OF CONTROLLING THE
DISK DRIVE FROM RECORDED DRIVE-SPEED FORMAT INFORMATION

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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AUG 26 2003

Technology Center 2600

Dear Sir:

Under the provisions of 37 CFR § 1.97 through §1.99 and pursuant to Applicants' duty of disclosure under 37 CFR §1.56, Applicants respectfully bring the following document(s) listed on the attached form PTO-1449 to the attention of the Examiner in charge of the above-identified application. Copies of the listed document(s) are provided herewith.

This Information Disclosure Statement is being submitted before receiving a first Office Action on the merits for the above-identified patent application. In addition, each of the documents listed on this Information Disclosure Statement was cited by the Japanese Patent Office not more than 3 months prior to the filing of this Information Disclosure Statement. (Accordingly, no fee is due.)

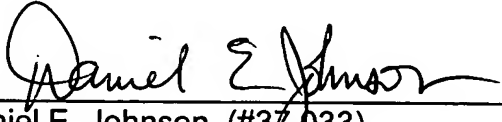
This submission does not constitute an admission that the cited reference(s) are relevant or material to the claims. The reference(s) are only cited as constituting related art of which Applicants are aware.

It is respectfully requested that the listed references be considered by the Examiner and formally made of record in this application.

The Director is hereby authorized to charge payment of any deficiency in the above fee(s) or to charge any additional fees required under 37 CFR § 1.16 or 1.17 or credit any overpayment to Deposit Account No. 09-0441. A duplicate copy of this authorization is attached for the Finance Branch.

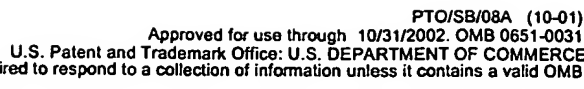
Respectfully submitted,

Masaki Obinata et al.

By 
Daniel E. Johnson (#37,033)
Agent for Applicants
Phone (408) 927-3367

DEJ:cgr

Attachments



Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet 1 of 3

Compleat if Known

Application Number	10/066,128
Filing Date	January 31, 2002
First Named Inventor	Masaki Obinata
Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	JP9-2000-0468

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials ²	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		07-210975	11-Aug-1995	IBM		
		08-321043	03-Dec-1996	IBM		
		2000-339821	08-Dec-2000	IBM		
		10-134500	22-May-1998	Ricoh Co LTD		
		03-273424	04-Dec-1991	Canon Inc.		
		03-273425	04-Dec-1991	Canon Inc.		
		05-225683	03-Sep-1993	Sony Corp.		
		07-121974	12-May-1995	Mitsubishi Electric Corp.		
		07-176137	14-Jul-1995	Hudson Soft Co. LTD.		
		07-220448	18-Aug-1995	Brother Ind. LTD.		

**Examiner
Signature**

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.



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Substitute for form 1449B/PTO				Comple if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/066,128
				Filing Date	January 31, 2002
				First Named Inventor	Masaki Obinata
				Group Art Unit	To be Assigned
				Examiner Name	To be Assigned
				Attorney Docket Number	JP9-2000-0468
Sheet	3	of	3		

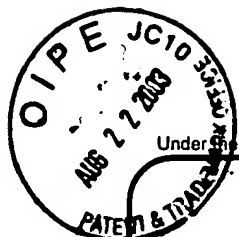
[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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ST
09-2-03

2653

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/066,128
Filing Date	01/31/2002
First Named Inventor	Masaki Obinata
Group Art Unit	To be Assigned
Examiner Name	To be Assigned
Attorney Docket Number	JP9-2000-0468

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Other Enclosure(s) (please identify below):

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Daniel E. Johnson

Signature

Daniel E. Johnson

Date

08/20/2003

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on this date:

08/20/2003

Typed or printed name

Cheryl G. Ruby

Signature

Cheryl G. Ruby

Date

08/20/2003

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FEE TRANSMITTAL **for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

Application Number	10/066,128	RECEIVED
Filing Date	01/31/2002	
First Named Inventor	Masaki Obinata	AUG 26 2003
Examiner Name	To be Assigned	Technology Center 2600
Group Art Unit	To be Assigned	
Attorney Docket No.	JP9-2000-0468	

TOTAL AMOUNT OF PAYMENT

(\$)

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **09-0441**
 Deposit Account Name **IBM CORPORATION**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	18.00	0.00
Multiple Dependent Claims	-3** =	84.00	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

0.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Daniel E. Johnson	Registration No. (Attorney/Agent)	37,033	Telephone	408-927-3367
Signature	<i>Daniel E. Johnson</i>	Date	08/20/2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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